



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE			
IN RE APPLICATION OF:		IRENA BRONSTEIN, ET AL.	GROUP ART UNIT: 1637
DOCKET NO.	70013.0252USC3		
SERIAL NO:	10/083,474	EXAMINER:	RILEY, JEZIA
FILED:	FEBRUARY 27, 2002		
FOR:	DIOXETANE LABELED PROBES AND DETECTION ASSAYS EMPLOYING THE SAME		
TERMINAL DISCLAIMER			
COMMISSIONER FOR PATENTS P.O. Box 1450 Alexandria, Virginia 22313-1450			
SIR:			

Now comes the undersigned, Attorney of Record in the present application, who avers as follows:

Applera Corporation is the owner of the entire right, title and interest in and to the invention claimed and disclosed in the above-captioned patent application by virtue of assignment.

Applera Corporation hereby disclaims the terminal part of any patent granted on the above-captioned application, which would extend beyond the expiration date of the full statutory term as presently shortened by any terminal disclaimer of Patent No. 5,800,999, and hereby agrees that any patent so granted on said above-captioned application shall be enforceable only for and during such period that the legal title to said patent shall be the same as the legal title to United States Patent No. 5,800,999, this agreement to run with any patent granted on the above-captioned application and to be binding upon the grantee, its successors or assigns.

Applera Corporation does not disclaim any terminal part of any patent granted on the above-captioned application that would extend to the full statutory term as presently shortened by any terminal disclaimer of Patent No. 5,800,999 in the event that it later: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid, is statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. 1.321(a), has all claims canceled by a reexamination certificate, or is otherwise terminated prior to the expiration of its statutory term as presently shortened by any terminal disclaimer, except for the separation of legal title stated above.

Respectfully submitted,

MERCHANT & GOULD P.C.

Steven B. Kelber
Registration No. 30,073
Attorney of Record

Christopher W. Raimund
Registration No. 47,258

07/22/2005 JADD01 00000032 132725 10003474

01 FC:1814 130.00 DA

Date: JULY 21, 2005



P.O. Box 2903
Minneapolis, MN 55402-0903
Telephone No. (202) 326-0300
Facsimile No. (202) 326-0778